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BEFORE THE ARIZONA CORPORATION COMMISSION

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BOB STUMP
Chairman
GARY PIERCE
Commissioner
BRENDA BURNS
Commissioner
BOB BURNS
Commissioner
SUSAN BITTER SMITH
Commissioner

Arizona Corporation Commission
DOCKETED

DEC 18 2014

DOCKETED BY 

IN THE MATTER OF THE APPLICATION
OF SBC LONG DISTANCE, LLC DBA SBC
LONG DISTANCE / AT&T LONG
DISTANCE FOR APPROVAL OF AN
ORDER RESCINDING THE BOND
REQUIREMENT CONTAINED IN ACC
DECISION NO. 67809

DOCKET NO. T-03346A-14-0332
DECISION NO. 74858
ORDER

Open Meeting
December 11 and 12, 2014
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On September 11, 2014, SBC Long Distance, LLC (“SBC LD” or “Applicant”) submitted an Application requesting rescission of the \$100,000 performance bond requirement contained in Decision No. 67809.

Background

2. On April 6, 2014, in Decision No. 66891, the Arizona Corporation Commission (“Commission”) ordered SBC LD to procure a performance bond equal to \$125,000. On March 21, 2005, SBC LD docketed a copy of a \$125,000 bond it had obtained in compliance with Decision No. 66891 and delivered the original to the Commission’s Business Office.

3. On May 5, 2005, in Decision No. 67809, the Commission ordered SBC LD to procure a performance bond equal to \$100,000 and in Decision No. 67827 to procure a performance bond equal to \$10,000. On May 5, 2005, SBC LD docketed a copy of a bond rider it obtained increasing the

1 amount of its bond to \$235,000 in compliance with the requirements of Decision Nos. 67809 and
2 67827. This rider was not delivered to the Business Office.

3 4. On October 14, 2011, in Decision No. 72629, the Commission relieved SBC LD of the
4 \$125,000 bond requirement it had imposed in Decision No. 66891. However, the \$125,000 bond was
5 not returned and Utilities Division Staff ("Staff") confirmed that the Business Office remains in
6 possession of this bond.

7 **Compliance**

8 5. According to the Corporations Division, SBC LD is in good standing. The Compliance
9 Section of the Utilities Division reports that SBC LD is currently in compliance. The Consumer
10 Services Section of the Utilities Division reports there have been no complaints or opinions about
11 SBC LD for the period of January 1, 2011 to September 16, 2014.

12 **Staff Recommendations**

13 6. The Commission has, in appropriate circumstances, relieved telecommunications
14 providers of the obligation to maintain a performance bond or ISDLOC. Staff recommends SBC LD
15 be relieved of the \$110,000 performance bond obligations contained in Decision Nos. 67809 and
16 67827.

17 7. The Applicant states that in order to release the bond, it is sufficient for the
18 Commission to include in an ordering paragraph language authorizing the Applicant to cancel, rescind,
19 discontinue and be released from the performance bonds required by Decision Nos. 67809 and 67827.
20 The Applicant also requests, based on a request from its surety company, that the ordering paragraph
21 also reference the name of the surety company, Travelers Casualty and Surety Company of America.
22 Staff believes it is appropriate to grant this request.

23 8. SBC LD indicated to Staff the \$125,000 bond in possession of the Business Office
24 should be released and returned to the following name and address:

25 AT&T
26 C/O Richard T. Howell
27 208 S Akard Street
28 Room 2510.02
Dallas, Texas 75202

CONCLUSIONS OF LAW

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1. SBC Long Distance, LLC is a public service corporation within the meaning of Article XV of the Arizona Constitution.

2. The Commission has jurisdiction over SBC Long Distance, LLC and the subject matter in this filing.

3. The Commission, having reviewed the filing and Staff's Memorandum dated November 25, 2013, concludes that it is in the public interest to approve the SBC Long Distance, LLC Application as proposed and discussed herein.

ORDER

IT IS THEREFORE ORDERED that the Application of SBC Long Distance, LLC to terminate the performance bond requirement contained in Decision No. 67809 be and hereby is approved.

IT IS FURTHER ORDERED that the performance bond requirement contained in Decision No. 67827 is hereby terminated.

IT IS FURTHER ORDERED that SBC Long Distance, LLC may cancel, rescind, discontinue and be released from any performance bond, irrevocable sight draft letter of credit or other instrument obtained in compliance with the performance bond or irrevocable sight draft letter of credit requirements set by Decision Nos. 67809 and 67827 and may direct its surety company, Travelers Casualty and Surety Company of America, to do so.

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1 IT IS FURTHER ORDERED that any performance bond on file with the Commission on
2 behalf of SBC Long Distance, LLC be returned to the following name and address provided by the
3 Applicant:

4 AT&T
5 C/O Richard T. Howell
6 208 S Akard Street
7 Room 2510.02
8 Dallas, Texas 75202

9 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

10 BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

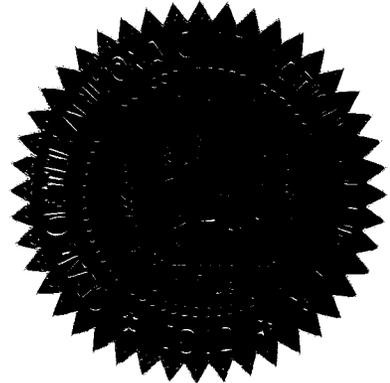
11 
12 CHAIRMAN

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14 COMMISSIONER

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16 COMMISSIONER

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20 COMMISSIONER



21 IN WITNESS WHEREOF, I, JODI JERICH, Executive
22 Director of the Arizona Corporation Commission, have
23 hereunto, set my hand and caused the official seal of this
24 Commission to be affixed at the Capitol, in the City of
25 Phoenix, this 18th day of December, 2014.

26 
27 JODI JERICH
28 EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

SMO:MAC:sms\BH

1 SERVICE LIST FOR: SBC Long Distance, LLC
2 DOCKET NO. T-03346A-14-0332

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13 Ms. Janice M. Alward
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15 Arizona Corporation Commission
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18 Ms. Lyn Farmer
19 Chief Administrative Law Judge
20 Arizona Corporation Commission
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